



1995 SENATE BILL 340

September 19, 1995 - Introduced by COMMITTEE ON HEALTH, HUMAN SERVICES AND AGING, by request of Department of Regulation and Licensing. Referred to Committee on Health, Human Services and Aging.

1 **AN ACT** *to renumber and amend* 448.05 (3); *to amend* 15.08 (4) (b), 448.07 (1)
2 (d) and 448.13 (1); and *to create* 448.05 (3) (b) of the statutes; **relating to:** the
3 members of an examining board entitled to vote to suspend or revoke a
4 credential issued by the examining board, the requirements for licensure as a
5 podiatrist and continuing education requirements for podiatrists.

Analysis by the Legislative Reference Bureau

This bill makes the following changes to current law:

1. Current law requires the affirmative vote of two-thirds of the membership of an examining board to suspend or revoke a credential that the examining board issued to a person and that entitles the person to practice a trade or profession. This bill requires an affirmative vote of two-thirds of the voting membership of the examining board to suspend or revoke a credential. Currently, the medical examining board and the nursing home administrator examining board each have one nonvoting member. Thus, under the bill the nonvoting member on these examining boards would not be counted for purposes of determining whether two-thirds of the examining board's members had voted to suspend or revoke a credential.

2. Under current law, an applicant for a license to practice podiatry must have graduated from a school of podiatric medicine and surgery approved by the medical examining board (board) with the degree of doctor of podiatric medicine or an equivalent degree. This bill requires an applicant for a license to practice podiatry to also have completed 12 months of postgraduate training in a program approved by the board.

3. Under current law, every 2 years a physician must complete 30 hours of continuing education in courses approved by the board. This bill requires a podiatrist to complete, every 2 years, 30 hours of continuing education in courses approved by the board.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.08 (4) (b) of the statutes is amended to read:

2 15.08 (4) (b) Notwithstanding par. (a), no certificate or license which entitles
3 the person certified or licensed to practice a trade or profession shall be suspended
4 or revoked without the affirmative vote of two-thirds of the voting membership of
5 the examining board.

6 **SECTION 2.** 448.05 (3) of the statutes is renumbered 448.05 (3) (intro.) and
7 amended to read:

8 448.05 (3) LICENSE TO PRACTICE PODIATRY. (intro.) An applicant for any class of
9 license to practice podiatry must supply evidence satisfactory to the board ~~that the~~
10 ~~applicant~~ of all of the following:

11 (a) That he or she is a graduate of and possesses a diploma conferring the degree
12 of doctor of podiatric medicine, or equivalent degree as determined by the board, from
13 a school of podiatric medicine and surgery approved by the board.

14 **SECTION 3.** 448.05 (3) (b) of the statutes is created to read:

15 448.05 (3) (b) That he or she has completed 12 months of postgraduate training
16 in a program approved by the board.

17 **SECTION 4.** 448.07 (1) (d) of the statutes is amended to read:

18 448.07 (1) (d) No registration may be permitted by the secretary of the board
19 in the case of any physician, podiatrist, occupational therapist or occupational
20 therapy assistant who has failed to meet the requirements of s. 448.13 or any person
21 whose license, certificate or limited permit has been suspended or revoked and the

1 registration of any such person shall be deemed automatically annulled upon receipt
2 by the secretary of the board of a verified report of such suspension or revocation,
3 subject to the licensee's or permittee's right of appeal. A person whose license,
4 certificate or limited permit has been suspended or revoked and subsequently
5 restored shall be registered by the board upon tendering a verified report of such
6 restoration of the license, certificate or limited permit, together with an application
7 for registration and the registration fee.

8 **SECTION 5.** 448.13 (1) of the statutes is amended to read:

9 448.13 (1) Each physician and each podiatrist shall, in each 2nd year at the
10 time of application for a certificate of registration under s. 448.07, submit proof of
11 attendance at and completion of continuing education programs or courses of study
12 approved for at least 30 hours of credit by the board within the 2 calendar years
13 preceding the calendar year for which the registration is effective. The board may
14 waive this requirement if it finds that exceptional circumstances such as prolonged
15 illness, disability or other similar circumstances have prevented a physician or a
16 podiatrist from meeting the requirement.

17 **SECTION 6. Initial applicability.**

18 (1) **PODIATRIST POSTGRADUATE TRAINING REQUIREMENT.** The treatment of section
19 448.05 (3) (b) of the statutes first applies to a person who submits an application for
20 a license to practice podiatry to the medical examining board on the effective date of
21 this subsection.

22 (2) **PODIATRIST CONTINUING EDUCATION REQUIREMENTS.** The treatment of
23 sections 448.07 (1) (d) and 448.13 (1) of the statutes first applies to applications that

1 are submitted to the department of regulation and licensing to renew a license to
2 practice podiatry that expires on November 1, 1997.

3 (END)